

For the above reasons, I respectfully disapprove the designated item in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in Senate File 2389 are hereby approved this date.

Sincerely,
CHESTER J. CULVER, *Governor*

CHAPTER 1185

APPROPRIATIONS — JUDICIAL BRANCH

S.F. 2377

AN ACT relating to and making appropriations to the judicial branch.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. JUDICIAL BRANCH.

1. There is appropriated from the general fund of the state to the judicial branch for the fiscal year beginning July 1, 2010, and ending June 30, 2011, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

a. For salaries of supreme court justices, appellate court judges, district court judges, district associate judges, judicial magistrates and staff, state court administrator, clerk of the supreme court, district court administrators, clerks of the district court, juvenile court officers, board of law examiners and board of examiners of shorthand reporters and judicial qualifications commission; receipt and disbursement of child support payments; reimbursement of the auditor of state for expenses incurred in completing audits of the offices of the clerks of the district court during the fiscal year beginning July 1, 2010; and maintenance, equipment, and miscellaneous purposes:

..... \$ 148,811,822

b. For deposit in the revolving fund created pursuant to section 602.1302, subsection 3, for jury and witness fees, mileage, costs related to summoning jurors, fees for interpreters, and reimbursement of attorney fees paid by the state public defender:

..... \$ 1,500,000

2. The judicial branch, except for purposes of internal processing, shall use the current state budget system, the state payroll system, and the Iowa finance and accounting system in administration of programs and payments for services, and shall not duplicate the state payroll, accounting, and budgeting systems.

3. The judicial branch shall submit monthly financial statements to the legislative services agency and the department of management containing all appropriated accounts in the same manner as provided in the monthly financial status reports and personal services usage reports of the department of administrative services. The monthly financial statements shall include a comparison of the dollars and percentage spent of budgeted versus actual revenues and expenditures on a cumulative basis for full-time equivalent positions and dollars.

4. The judicial branch shall focus efforts upon the collection of delinquent fines, penalties, court costs, fees, surcharges, or similar amounts.

5. It is the intent of the general assembly that the offices of the clerks of the district court operate in all 99 counties and be accessible to the public as much as is reasonably possible in order to address the relative needs of the citizens of each county.

6. In addition to the requirements for transfers under section 8.39, the judicial branch shall not change the appropriations from the amounts appropriated to the judicial branch in this Act, unless notice of the revisions is given prior to their effective date to the legislative services agency. The notice shall include information on the branch's rationale for making the changes

and details concerning the workload and performance measures upon which the changes are based.

7. The judicial branch shall submit a semiannual update to the legislative services agency specifying the amounts of fines, surcharges, and court costs collected using the Iowa court information system since the last report. The judicial branch shall continue to facilitate the sharing of vital sentencing and other information with other state departments and governmental agencies involved in the criminal justice system through the Iowa court information system.

8. The judicial branch shall provide a report to the general assembly by January 1, 2011, concerning the amounts received and expended from the enhanced court collections fund created in section 602.1304 and the court technology and modernization fund created in section 602.8108, subsection 7, during the fiscal year beginning July 1, 2009, and ending June 30, 2010, and the plans for expenditures from each fund during the fiscal year beginning July 1, 2010, and ending June 30, 2011. A copy of the report shall be provided to the legislative services agency.

9. The judicial branch is encouraged to purchase products from Iowa state industries, as defined in section 904.802, when purchases are required and the products are available from Iowa state industries. The judicial branch shall obtain bids from Iowa state industries for purchases of office furniture during the fiscal year beginning July 1, 2010, exceeding \$5,000.

Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any provision to the contrary, for the fiscal year beginning July 1, 2010, and ending June 30, 2011, if all parties in a case agree, a civil trial including a jury trial may take place in a county contiguous to the county with proper jurisdiction, even if the contiguous county is located in an adjacent judicial district or judicial election district. If the trial is moved pursuant to this section, court personnel shall treat the case as if a change of venue occurred. However, if a trial is moved to an adjacent judicial district or judicial election district, the judicial officers serving in the judicial district or judicial election district receiving the case shall preside over the case.

Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section 602.1509, for the fiscal year beginning July 1, 2010, a judicial officer may waive travel reimbursement for any travel outside the judicial officer's county of residence to conduct official judicial business.

Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT — LEGISLATIVE SERVICES AGENCY. All reports or copies of reports required to be provided by the judicial branch for fiscal year 2010-2011 to the legislative services agency shall be provided in an electronic format. The legislative services agency shall post the reports on its internet website and shall notify by electronic means all the members of the joint appropriations subcommittee on the justice system when a report is posted. Upon request, copies of the reports may be mailed to members of the joint appropriations subcommittee on the justice system.

Sec. 5. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding the annual salary rates for judicial officers established by 2008 Iowa Acts, chapter 1191, section 11, for the fiscal year beginning July 1, 2010, and ending June 30, 2011, the supreme court may by order place all judicial officers on unpaid leave status on any day employees of the judicial branch are placed on temporary layoff status. The biweekly pay of the judicial officers shall be reduced accordingly for the pay period in which the unpaid leave date occurred in the same manner as for noncontract employees of the judicial branch. Through the course of the fiscal year, the judicial branch may use an amount equal to the aggregate amount of salary reductions due to the judicial officer unpaid leave days for any purpose other than for judicial salaries.

Sec. 6. IOWA COMMUNICATIONS NETWORK. It is the intent of the general assembly that the judicial branch utilize the Iowa communications network or other secure electronic communications in lieu of traveling for the fiscal year beginning July 1, 2010.

CHAPTER 1186**APPROPRIATIONS — TRANSPORTATION***S.F. 2381*

AN ACT relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, providing for properly related matters, and making penalties applicable.

Be It Enacted by the General Assembly of the State of Iowa:

DIVISION I
APPROPRIATIONS

Section 1. ROAD USE TAX FUND. There is appropriated from the road use tax fund created in section 312.1 to the department of transportation for the fiscal year beginning July 1, 2010, and ending June 30, 2011, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the payment of costs associated with the production of driver's licenses, as defined in section 321.1, subsection 20A:

..... \$ 3,876,000

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for subsequent fiscal years for the purposes specified in this subsection.

2. For salaries, support, maintenance, and miscellaneous purposes:

a. Operations:

..... \$ 6,654,962

b. Planning:

..... \$ 506,127

c. Motor vehicles:

..... \$ 35,604,012

3. For payments to the department of administrative services for utility services:

..... \$ 225,000

4. Unemployment compensation:

..... \$ 7,000

5. For payments to the department of administrative services for paying workers' compensation claims under chapter 85 on behalf of employees of the department of transportation:

..... \$ 137,000

6. For payment to the general fund of the state for indirect cost recoveries:

..... \$ 78,000

7. For reimbursement to the auditor of state for audit expenses as provided in section 11.5B:

..... \$ 67,319

8. For automation, telecommunications, and related costs associated with the county issuance of driver's licenses and vehicle registrations and titles:

..... \$ 1,406,000

9. For transfer to the department of public safety for operating a system providing toll-free telephone road and weather conditions information:

..... \$ 100,000

10. For costs associated with the participation in the Mississippi river parkway commission:

..... \$ 40,000

11. For membership in North America's supercorridor coalition:

..... \$ 50,000

12. For motor vehicle division field facility maintenance projects at various locations:

..... \$ 200,000

For purposes of section 8.33, unless specifically provided otherwise, moneys appropriated in this subsection that remain unencumbered or unobligated shall not revert but shall remain